

LBNL – PROCUREMENT STANDARD PRACTICES

Section: 25 Foreign Acquisitions

Subject: 25.7 Restrictions on Certain Foreign Purchases

PURPOSE: This standard practice (SP) describes the Laboratory's policy and related procedures regarding complying with restrictions on certain foreign purchases.

SCOPE: This SP applies to all subcontracts.

POLICY: The Laboratory will not acquire supplies and services that are banned from importation into the United States from foreign sources.

DEFINITIONS:

Banned Country A banned country is any country whose supplies or services are banned from importation into the United States (U.S.) by Federal law, executive order, or regulations. Banned countries are identified by the U.S. Treasury Office of Foreign Assets Control.

Banned Entity A banned entity is any individual, company, vessel, or other entity whose supplies or services are banned from importation into the U.S. Federal law, executive order, or regulations. Banned entities are identified by the U.S. Treasury Office of Foreign Assets Control and the U.S. Secretary of State as being owned, controlled by, or acting for or on behalf of the government of a banned country, or associated with international narcotics trafficking, terrorism, or proliferation of weapons of mass destruction.

PROCEDURES:

Prohibited Transactions Supplies and services shall not be acquired from banned countries or banned entities.

This includes supplies and services:

- Originating from sources within, or that were located in or transported from or through banned countries; and
- Any entities controlled by the government of Iraq.

Accordingly, subcontracts must not be awarded for any supplies or services originating from sources within, or that were located in or transported through countries whose products are banned from Importation into the United States as identified in FAR 52.225-13, *Restrictions on Certain Foreign Purchases*.

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Determination

For any supplies or services to be furnished from a foreign source, even if the supplier is located in the U.S., the procurement specialist shall:

- Confirm the manufacturer of the supplies or provider of the services,
- Confirm the country of origin and the transportation route, and
- Determine that the supplies or services are not banned from importation.

If there is any uncertainty, the procurement specialist shall confer with the procurement supervisor regarding the procurement action prior to disqualifying any potential supplier for these reasons.

CLAUSE:

The *Restrictions on Certain Foreign Purchases* clause (FAR 52.225-13) is to be included in all written subcontracts and lower-tier subcontracts.

RESPONSIBILITIES:

The procurement specialist must ensure that:

- The supplies and services are not acquired from banned countries or from banned entities; and
- The supplies and services were not located in or transported from or through any banned countries;

REFERENCES:

Prime Contract Clause 8.15/I.031, Restrictions on Certain Foreign Purchases